

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BILL LIETZKE,)	
)	
Plaintiff,)	CV-06-1410-ST
)	
v.)	ORDER
)	
COUNTY OF MONTGOMERY, et al,)	
)	
Defendants)	

STEWART, Magistrate Judge:

On October 16, 2006, this court issued an Order requiring plaintiff to either submit a filing fee or an application to proceed *in forma pauperis*. In that Order, this court advised plaintiff that, according to the allegations in his Complaint, all of the acts of defendants occurred in Alabama, not Oregon. As a result, the defendants would not be subject to personal jurisdiction in Oregon and should be dismissed. To obtain personal jurisdiction over defendants,

this court advised plaintiff that he should file his case in Alabama.

However, instead of dismissing this case and refileing it in Alabama, plaintiff paid the \$350 filing fee. Plaintiff has not yet filed an Amended Complaint alleging the requisite jurisdiction of this court over defendants.

ORDER

On or before January 11, 2007, plaintiff shall file an Amended Complaint alleging a basis for the exercise of personal jurisdiction in the District of Oregon over defendants. Failure to timely file an Amended Complaint shall result of dismissal of this case for lack of jurisdiction. If the court dismisses this case for lack of jurisdiction, then plaintiff will be refunded his filing fee of \$350.

DATED this 11th day of December, 2006.

/s/ Janice M. Stewart
Janice M. Stewart
United States Magistrate Judge